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January 6, 2020

**BY ECF**

Honorable Paul G. Gardephe  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

Re: **Fragoso Banos et al v. 34<sup>th</sup> Street Diner, Inc. et al.;**  
**18-cv-02815 (PGG)**

Dear Judge Gardephe:

This office represents Plaintiff in the above referenced matter. I write to respectfully request that the Court extend the deadline to reopen the action to January 16, 2020. Defendants consent to the request.

The reason for the request is that the settlement agreement has not yet been finalized and executed. The attorney from my office who had been working on the action and the settlement agreement recently left the firm. We seek additional time to finalize the language of the settlement agreement and to obtain all signatures. This is the first request for an extension of time.

Alternatively, Plaintiff asks that the court deems this a request to reopen the action.

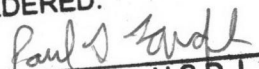
We also advise the Court that this is a settlement of an FLSA action and request that the Court clarify whether it requires the parties to submit the settlement agreement for approval.

I thank the Court for its time and attention.

**MEMO ENDORSED**

**The Application is granted.**

**SO ORDERED:**

  
Paul G. Gardephe, U.S.D.J.

Dated: Jan 7, 2020

Respectfully Submitted,

/s/ Joshua S. Androphy

Joshua S. Androphy

*Certified as a minority-owned business in the State of New York*

CC: Lloyd Somer, Esq. (By ECF)  
*Attorney for Defendants*